

The Senate Committee on State and Local Governmental Operations offered the following substitute to HB 600:

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act to create a board of commissioners of roads and revenue for the county of
2 Monroe, approved August 19, 1907 (Ga. L. 1907, p. 318), as amended, particularly by an Act
3 approved May 11, 2011 (Ga. L. 2011, p. 3912), so as to repeal a section relating to the road
4 superintendent; to provide for oaths, bonds, removal, and compensation for each
5 commissioner; to provide for the removal of the duties of disbursements; to provide for
6 related matters; to repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 An Act to create a board of commissioners of roads and revenue for the county of Monroe,
10 approved August 19, 1907 (Ga. L. 1907, p. 318), as amended, particularly by an Act
11 approved May 11, 2011 (Ga. L. 2011, p. 3912), is amended by striking in its entirety
12 Section 5 and designating said section as reserved.

13 **SECTION 2.**

14 Said Act is further amended in Section 6 as follows:

15 **"SECTION 6.**

16 Oaths; bond; removal; compensation.

17 Before any of said commissioners shall assume the duties of this office, they shall take and
18 subscribe the following oath: 'I, _____, duly elected commissioner for Monroe
19 County, do solemnly swear that I will discharge the duties of said office to the best of my
20 ability; so help me God'; which shall be administered by the probate judge of said county
21 and filed in his or her office and recorded on his or her minutes. Said commissioners shall
22 also execute a surety bond in the sum of \$2,000.00 each, payable to said county,
23 conditioned on the faithful discharge of their duties as said commissioners, which bond

24 shall be filed with the probate judge of said county and recorded in his or her minutes. Said
25 commissioners shall be subject to removal by the judge of the superior court of said county
26 for malfeasance, misfeasance, or nonfeasance in office, as well as for incompetence or
27 neglect of duty. All proceedings instituted for the purpose of removal shall be signed by
28 not less than 25 freeholders of said county, and the same filed and personally served, if
29 possible, 15 days before the time of hearing, which shall be evidenced by rule nisi duly
30 granted by the court. Said petition shall fully and distinctly set forth the grounds upon
31 which said removal is asked, showing wherein the conduct of said commissioner is in
32 violation of this Act. In the event that any commissioner should be ordered removed by
33 the court, his or her office shall become at once vacant unless an appeal is filed, and his or
34 her successor shall be appointed by said judge of the superior court, who shall hold until
35 the next meeting of the grand jury of said county, at which time they shall appoint said
36 successor until the first regular election, at which time said vacancy shall be regularly filled
37 for the full time. If any such election should occur within 30 days from the date of said
38 judgment declaring said vacancy, then the same shall be only supplied by the election of
39 a successor for the full term."

40

SECTION 3.

41 All laws and parts of laws in conflict with this Act are repealed.